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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
)	
Gesteland et al.)	Art Unit: 1634
)	
Application No.: 10/583,198)	Examiner: Frank W.M. Lu
)	
Filing Date: May 31, 2007)	Confirmation No. 2204
)	
For: METHODS, ARTICLES, AND COMPOSITIONS)	
FOR IDENTIFYING OLIGONUCLEOTIDES)	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

BALLARD SPAHR ANDREWS & INGERSOLL, LLP
Customer Number 23859

December 2, 2008

Dear Sir:

Pursuant to the requirements of 37 C.F.R. § 1.56, Applicants now submit a list of documents known to Applicants or Applicants' attorneys. In view of the Federal Circuit Court of Appeals' decision in *McKesson Information Solutions, Inc. v. Bridge Medical Inc.*, 487 F.3d 897 (Fed. Cir. 2007), Applicants also provide a list of documents from the prosecution of foreign and U.S. patent applications.

Applicants have not included copies of cited U.S. patents or published U.S. patent applications. But, pursuant to 37 C.F.R. § 1.98(a)(2)(iv), and for the Examiner's review, Applicants have enclosed copies of the following: (1) cited foreign patents, (2) non-patent publications, and (3) documents from the prosecution of foreign and U.S. patent applications.

Regarding category (3), documents from the prosecution of foreign and U.S. patent applications, Applicants note that 37 C.F.R. § 1.98(b) does not mention, and thus does not require, that Applicants provide any particular set of identifying information. While 37 C.F.R. § 1.98(a)(1) requires Applicants to provide a list of such documents, it does not require Applicants

to include in that list specific identifying information. 37 C.F.R. § 1.98(a)(2)(iv) further requires Applicants to provide a copy of such documents (see APPENDIX A). Thus, the rules do not require that Applicants provide any particular set of information about the documents in category (3) prior to the Examiner's consideration of all the cited information. Nevertheless, in order to be as helpful as possible, Applicants have provided (a) information regarding the source of the documents, and (b) a title or description of each document. The prosecution record of either a foreign patent application or a U.S. patent application is the source for each document. Accordingly, in the list required by 37 C.F.R. § 1.98(a)(1), Applicants have provided information about the source of each document. The information provided mirrors the requirements for cited foreign patent applications and U.S. patent applications as set forth by 37 C.F.R. § 1.98(b). For at least these reasons, Applicants respectfully request consideration of all documents submitted in the present Supplemental Information Disclosure Statement.

Applicants now bring to the attention of the Examiner the following U.S. patent applications. The pending applications is identified with an asterisk (*) because it is stored in the USPTO's Image File Wrapper (IFW) system. In accordance with the waiver to 37 CFR § 1.98(a)(2)(iii) dated September 21, 2004, Applicants have not included copies of the cited specification, which include the claims and drawings thereof.

INFORMATION DISCLOSURE STATEMENT LIST for Application No. 10/583,198 (Attorney Docket #: 21101.0046U2) DISCLOSURE OF RELATED BUT NOT CO-PENDING U.S. PATENT APPLICATIONS					
Initials	No. Cited	U.S. Patent Application #	371(c) Filing Date	First Inventor	Attorney Docket #
	1	*10/374,253	02-26-2003	O. Matveeva	21101.0059U2
	2	*60/360,888	02-28-2002	O. Matveeva	21101.0059U1
	3	*60/519,911	11-14-2003	R. Gesteland	21101.0046U1

Applicants submit for the Examiner's consideration, copies of Office Actions, Amendments, Responses, and other correspondence from the prosecution of the following U.S. patent applications.

U.S. PATENT APPLICATIONS FOR WHICH PROSECUTION DOCUMENTS ARE PROVIDED IN APPENDIX A					
Initials	No. Cited	U.S. Patent Application #	371(c) Filing Date	First Inventor	Attorney Docket #
	1	10/374,253	02-26-2003	O. Matveeva	21101.0059U2

Pursuant to 37 C.F.R. § 1.98(a)(2)(iv), Applicants have enclosed a copy of each document. APPENDIX A lists these documents, provides identifying information, and includes a column for the Examiner's initials. Applicants submit for the Examiner's consideration, copies of Office Actions, Amendments, Responses, and other correspondence from the prosecution of the following foreign patent applications.

FOREIGN APPLICATIONS FOR WHICH PROSECUTION DOCUMENTS ARE PROVIDED IN APPENDIX A					
Initials	No. Cited	Application #	Int'l. Filing Date	Applicant	Attorney Docket #
	1	PCT/US2004/038092	11-15-2004	University of Utah Research Foundation	21101.0046P1
	2	04811006.8	11-15-2004	University of Utah Research Foundation	21101.0046EP1
	3	PCT/US2003/006387	02-27-2003	University of Utah	21101.0059P1
	4	03711357.8	02-27-2003	University of Utah	21101.0059EP1

Pursuant to 37 C.F.R. § 1.97(b)(3), Applicants believe that this Information Disclosure Statement is timely in that the Office has not yet mailed to Applicants a first action on the merits. Therefore, Applicants request that the Examiner consider the cited documents and make the same of record in the prosecution of this application (U.S. Pat. App. No. 10/583,198).

Applicants believe that no fee is due; however, Applicants hereby authorize the Commissioner to charge to Deposit Account No. 14-0629 any additional fees that may be required, or to credit to the same account any overpayment of fees.

Respectfully submitted,




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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence, including any items indicated as attached or included, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.


P. Brian Giles, Ph.D.

12-2-2008
Date

Supplemental Information Disclosure Statement List
pursuant to 37 C.F.R. § 1.98(a)(1)-(2) and (b)(3)-(4) for
APPLICATION NO. 10/583,198 (ATTORNEY DOCKET #: 21101.0046U2)

APPENDIX A						
LIST OF PROSECUTION DOCUMENTS FROM U.S. PATENT APPLICATIONS						
Initials	Attny. Docket #:	Application No.	Inventor	Application Filing Date	Document	Date of Document
	21101.0059U2	10/374,253	O. Matveeva	02-26-2003	Notice of Abandonment	07-10-2008
	21101.0059U2	10/374,253	O. Matveeva	02-26-2003	Non-Final Rejection	12-05-2007
	21101.0059U2	10/374,253	O. Matveeva	02-26-2003	Request for Continued Examination with Amendment and Response	10-01-2007
	21101.0059U2	10/374,253	O. Matveeva	02-26-2003	Advisory Action	08-10-2007
	21101.0059U2	10/374,253	O. Matveeva	02-26-2003	Amendment after Final Rejection	07-27-2007
	21101.0059U2	10/374,253	O. Matveeva	02-26-2003	Final Rejection	03-29-2007
	21101.0059U2	10/374,253	O. Matveeva	02-26-2003	Response after Non-Final Action	01-23-2007
	21101.0059U2	10/374,253	O. Matveeva	02-26-2003	Notice of Informal or Non-Responsive Amendment	12-29-2006
	21101.0059U2	10/374,253	O. Matveeva	02-26-2003	Response after Non-Final Action	12-11-2006
	21101.0059U2	10/374,253	O. Matveeva	02-26-2003	Mail Non-Final Rejection	08-11-2006
	21101.0059U2	10/374,253	O. Matveeva	02-26-2003	Response after Non-Final Action	05-22-2006
	21101.0059U2	10/374,253	O. Matveeva	02-26-2003	Non-Final Rejection	11-21-2005
	21101.0059U2	10/374,253	O. Matveeva	02-26-2003	Response to Election / Restriction Filed	10-05-2005
	21101.0059U2	10/374,253	O. Matveeva	02-26-2003	Requirement for Restriction / Election	09-02-2005

Supplemental Information Disclosure Statement List
pursuant to 37 C.F.R. § 1.98(a)(1)-(2) and (b)(3)-(4) for
APPLICATION No. 10/583,198 (ATTORNEY DOCKET #: 21101.0046U2)

APPENDIX A							
LIST OF PROSECUTION DOCUMENTS FROM FOREIGN PATENT APPLICATIONS							
Initials	Attny. Docket #:	Country	Application No.	Application Filing Date	Applicant	Document	Date of Document
	21101.0059P1	PCT	PCT/US2003/006387	02-27-2003	University of Utah	International Preliminary Examination Report	07-13-2004
	21101.0059P1	PCT	PCT/US2003/006387	02-27-2003	University of Utah	Written Opinion	03-15-2004
	21101.0059P1	PCT	PCT/US2003/006387	02-27-2003	University of Utah	International Search Report	10-21-2003
	21101.0059P1	PCT	PCT/US2003/006387	02-27-2003	University of Utah	Invention to Pay Additional Fees	08-15-2003
	21101.0059EP1	EP	03711357.8	02-27-2003	University of Utah	Article 94(3) Communication	01-17-2008
	21101.0059EP1	EP	03711357.8	02-27-2003	University of Utah	Supplementary Partial European Search Report	06-15-2007
	21101.0059EP1	EP	03711357.8	02-27-2003	University of Utah	Supplementary Partial European Search Report	03-28-2007
	21101.0046P1	PCT	PCT/US04/38092	11-15-2004	University of Utah Research Foundation	International Search Report and Written Opinion	06-04-2008
	21101.0046P1	PCT	PCT/US04/38092	11-15-2004	University of Utah Research Foundation	Invention to Pay Additional Fees	02-26-2008
	21101.0046P1	PCT	PCT/US04/38092	11-15-2004	University of Utah Research Foundation	Entry into the European phase before the EPO	04-07-2006
	21101.0046EP1	EP	04811006.8	11-15-2004	University of Utah Research Foundation	Notification of European Publication Number and Information	08-09-2006
	21101.0046EP1	EP	04811006.8	11-15-2004	University of Utah Research Foundation	Entry into the European phase before the EPO	04-07-2006